

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MELVIN B. WILSON]
Plaintiff,]
] No.
v.] (No. 3:11-mc-0016)
] JUDGE HAYNES
R.C.A.D.C., et al.]
Defendants.]

M E M O R A N D U M

Plaintiff, an inmate at the Rutherford County Adult Detention Center, ("RCADC"), filed this pro se action under 42 U.S.C. § 1983 against the Defendant, Detention Center and the Rutherford County Sheriff's Department. Plaintiff seeks injunctive relief and damages for the loss of his position as a trusty at the Detention Center. Plaintiff's claim is that the Defendant lacked reason to remove him as a trusty and Plaintiff believes the loss of his position "might" be due to his prior legal action. Yet, repeatedly in his complaint and attachments thereto, Plaintiff's allegations are that the laughed and commented in response to a jail guard's directive shortly before he lost his trustee job.

To state a claim for § 1983 relief, the Plaintiff must plead that a person or persons, while acting under color of state law, deprived him of a right guaranteed by the Constitution or laws of

the United States. Parratt v. Taylor, 451 U.S. 527, 535 (1981).

A county jail, detention facility or workhouse is not a person that can be sued under 42 U.S.C. § 1983. Rhodes v. McDannel, 945 F.2d 117, 120 (6th Cir. 1991), nor is a county sheriff's department considered a person subject to liability under § 1983. Petty v. County of Franklin, Ohio, 478 F.3d 341, 347 (6th Cir. 2007). In any event, there is not a constitutional right to a particular prison job. Picklehaupt v. Jackson, 364 Fed. Appx. 221, 225-26 (6th Cir. 2010).

Accordingly, the Court concludes that Plaintiff has failed to state a claim upon which relief can be granted. Under such circumstances, the Court must dismiss the complaint *sua sponte*. 28 U.S.C. § 1915(e)(2).

An appropriate order is filed herewith.



WILLIAM J. HAYNES, JR.
United States District Judge
5-26-11